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Attorney for Defendant
RICHARD KEITH TURNER

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 07-0252 SBA
)	No. CR 16-0034 MMC
Plaintiff,)	
)	JOINT MOTION FOR INTRADISTRICT
v.)	TRANSFER PURSUANT TO CRIMINAL LOCAL
)	RULE 18-2 AND [PROPOSED] ORDER
RICHARD KEITH TURNER,)	
)	Date: August 17, 2016
Defendant.)	Time: 2:15 p.m.

The parties respectfully submit this Joint Motion, pursuant to this Court's Criminal Local Rule 18-2, and a Proposed Order requesting that case number CR 07-0252 SBA be transferred from the Honorable Sandra Brown Armstrong to the Honorable Maxine M. Chesney in the interest of justice, the convenience of the defendant, and to ensure the prompt administration of justice.

I. BACKGROUND

At present, there are two criminal cases pending in the Northern District of California against Richard Keith Turner (“defendant”). On December 7, 2015, defendant was charged in a Probation Form 12 with supervised release violations in CR-07-0252, assigned to Judge Armstrong. *See* CR-07-0252-SBA, docket entry number 41. On January 28, 2016, a grand jury in the Northern District of California, charged defendant in a single-count indictment with being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g), in CR-16-0034, assigned to Judge Chesney. *See* CR-16-0034-MMC, docket entry number 1.

On February 5, 2016, the United States filed a Notice of Related Case, pursuant to Local Criminal Rule 8-1(c)(4), asking that the cases be assigned to a single judge “to conserve judicial resources and promote an efficient determination of each action.” *See* CR-07-0252-SBA, docket entry number 47. Judge Armstrong found that the two cases were related, but that reassignment was not warranted. *Id.*

II. REASON FOR TRANSFER REQUEST

On July 20, 2016, following the parties’ filings of pleadings and presenting arguments in the felon-in-possession case, Judge Chesney denied defendant’s motion to suppress evidence. *See* CR-16-0034-MMC, docket entry number 21. As a result of that decision, the parties are now engaged in plea negotiations and anticipate a resolution that will encompass both of defendant’s pending in-district criminal cases. To effectuate this result, the parties respectfully request that the Court grant their joint request and transfer the pending supervised release violation from Judge Armstrong to Judge Chesney. The parties make this request in the interest of justice, for the convenience of defendant, and to ensure

1 the prompt administration of justice.

2 DATED: August 12, 2016

Respectfully submitted,

3 BRIAN S. STRETCH
4 United States Attorney

5 /s/
LAURIE KLOSTER GRAY
6 Assistant United States Attorney

7
8 DATED: August 12, 2016


9 /s/
ERIN M. CRANE
10 Counsel for RICHARD KEITH TURNER

11 **[PROPOSED] ORDER**

12 FOR THE REASONS SET FORTH ABOVE, THE COURT FINDS THAT an intradistrict
13 transfer of CR 07-0252 from the Honorable Sandra Brown Armstrong to this Court, pursuant to
14 Criminal Local Rule 18-2, is warranted in the interest of justice, for the convenience of the defendant
15 and to ensure the prompt administration of justice.

16 Accordingly, THE COURT ORDERS THAT the Clerk effectuate this transfer.

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18 DATED: August 15, 2016

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HON. MAXINE M. CHESNEY
20 United States District Judge
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